

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERIC DOWDY-EL, et al.,

Plaintiffs,

Case Number: 06-11765

v.

HON. AVERN COHN

PATRICIA L. CARUSO, et al.,

Defendants.

/

**ORDER DENYING MOTION TO SHOW CAUSE FOR CONTEMPT OF COURT AND
TO ENFORCE THE SETTLEMENT AGREEMENT (Doc. 211)
AND DENYING MOTION FOR IMMEDIATE CONSIDERATION (Doc 210)**

Plaintiffs, Muslim inmates housed by the Michigan Department of Corrections (“MDOC”), sued challenging the defendant prison officials’ alleged failure to accommodate their requests to observe three distinct Islamic religious practices:

- (1) attending Jum’ah prayer services;
- (2) receiving a halal diet; and
- (3) participating in the Eid ul-Fitr and Eid ul-Adha Feasts (the “Eid feasts”)

The Court approved a settlement agreement between the parties that, among other things, required the MDOC to provide a halal meal. (Doc. 129). The Court also entered a separate judgment that allows plaintiffs to participate in the Eid feasts. (Doc. 85).

Thereafter, on July 14, 2015, three days before the Eid Feast, Fathiree Ali, a class member, filed a motion styled “Motion to Show Cause for Contempt of Court and to Enforce the Settlement Agreement” (Doc. 211) and a motion seeking immediate consideration of motion to show cause (Doc. 210). As best as can be gleaned, Ali says that the MDOC intends to violate the settlement agreement as to the Eid Feasts.

Given that the Eid holiday has already passed,¹ the motions are MOOT. Further, as explained in a recent order denying another class member's similar motion, the "Court is satisfied that the MDOC is complying with the terms of the settlement agreement" regarding the Eid Feasts. (Doc. 213). The Court also explained that

Under the MDOC policy, the Eid Feasts are not subject to the religious meals policy (paragraphs NN-XX of PD 05.03.150) because the Eid Feasts occur twice a year where prisoners gather together to celebrate. **The only food allowed at the Eid Feasts would be food donated from outside sources.** Prisoners receive their regular meals those two days so MDOC does not provide a special meal to celebrate the Eid Feasts.

(Doc. 213 at p. 3). The motions are DENIED.

SO ORDERED.

S/Avern Cohn

AVERN COHN
UNITED STATES DISTRICT JUDGE

Dated: July 27, 2015
Detroit, Michigan

¹The Eid began in North America on July 17, 2015.